

ENGROSSED SUBSTITUTE HOUSE BILL 2474

AS AMENDED BY THE SENATE
Passed Legislature - 2004 Regular Session

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By House Committee on Transportation (originally sponsored by Representative Murray; by request of Governor Locke)

READ FIRST TIME 02/26/04.

AN ACT Relating to transportation funding and appropriations; amending RCW 70.94.996; amending 2003 1st sp.s. c 26 ss 506 and 508 (uncodified); amending 2003 c 360 ss 102, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 304, 305, 308, 310, 401, 402, 403, 404, 405, 406, and 407 (uncodified); adding new sections to 2003 c 360 (uncodified); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

GENERAL GOVERNMENT AGENCIES--OPERATING

Sec. 101. 2003 c 360 s 102 (uncodified) is amended to read as follows:

FOR THE MARINE EMPLOYEES COMMISSION MARINE EMPLOYEES COMMISSION

Puget Sound Ferry Operations Account--State

Appropriation	((\$352,000))
	\$365,000

NEW SECTION. **Sec. 102.** A new section is added to 2003 c 360 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--INITIATIVE MEASURE NO. 776

Motor Vehicle Account--State Appropriation	\$1,200,000
Motor Vehicle Account--Local Appropriation	\$2,100,000
TOTAL APPROPRIATION	\$3,300,000

TRANSPORTATION AGENCIES--OPERATING

FOR THE COUNTY ROAD ADMINISTRATION BOARD COUNTY ROAD ADMINISTRATION BOARD

Sec. 202. 2003 c 360 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD TRANSPORTATION IMPROVEMENT
BOARD

Sec. 203. 2003 c 360 s 204 (uncodified) is amended to read as

follows:

FOR THE BOARD OF PILOTAGE COMMISSIONERS BOARD OF PILOTAGE COMMISSIONERS
Pilotage Account--State Appropriation ((~~\$272,000~~))
\$344,000

Sec. 204. 2003 c 360 s 206 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION TRANSPORTATION COMMISSION
Motor Vehicle Account--State Appropriation ((~~\$807,000~~))
\$813,000

Sec. 205. 2003 c 360 s 207 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD FREIGHT MOBILITY
STRATEGIC INVESTMENT BOARD
Motor Vehicle Account--State Appropriation ((~~\$616,000~~))
\$625,000

Sec. 206. 2003 c 360 s 208 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU WASHINGTON
STATE PATROL||FIELD OPERATIONS BUREAU
State Patrol Highway Account--State Appropriation . . . ((~~\$171,269,000~~))
\$174,438,000
State Patrol Highway Account--Federal Appropriation . . . ((~~\$6,167,000~~))
\$6,957,000
State Patrol Highway Account--Private/Local Appropriation . \$175,000
TOTAL APPROPRIATION ((~~\$177,611,000~~))
\$181,570,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies are authorized to use state patrol vehicles for the purposes of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol shall be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol. The patrol shall report to the house of representatives and

senate transportation committees by December 31, 2004, on the use of agency vehicles by officers engaging in the off-duty employment specified in this subsection. The report shall include an analysis that compares cost reimbursement and cost-impacts, including increased vehicle mileage, maintenance costs, and indirect impacts, associated with the private use of patrol vehicles.

(2) \$2,075,000 of the state patrol highway account--state appropriation in this section is provided solely for the addition of thirteen troopers to those permanently assigned to vessel and terminal security. The Washington state patrol shall continue to provide the enhanced services levels established after September 11, 2001.

(3) In addition to the user fees, the patrol shall transfer into the state patrol nonappropriated airplane revolving account created under section 1501 of this act, no more than the amount of appropriated state patrol highway account and general fund funding necessary to cover the costs for the patrol's use of the aircraft. The state patrol highway account and general fund--state funds shall be transferred proportionately in accordance with a cost allocation that differentiates between highway traffic enforcement services and general policing purposes.

(4) The patrol shall not account for or record locally provided DUI cost reimbursement payments as expenditure credits to the state patrol highway account. The patrol shall report the amount of expected locally provided DUI cost reimbursements to the transportation committees of the senate and house of representatives by December 31 of each year.

(5) \$2,138,000 of the state patrol highway account--state appropriation is provided solely for additional security personnel and equipment necessary to comply with the ferry security plan submitted by the Washington state ferry system to the United States coast guard.

(6) \$264,600 of the state patrol highway account--state appropriation in this subsection is provided solely for two full-time detectives to work solely to investigate incidents of identity fraud, drivers' license fraud, and identity theft. The detectives, as part of their duty to police the public highways, shall work cooperatively with the department of licensing's driver's special investigation unit.

Sec. 207. 2003 c 360 s 209 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU WASHINGTON

STATE PATROL||SUPPORT SERVICES BUREAU

State Patrol Highway Account--State Appropriation	((\$69,993,000))
	<u>\$69,799,000</u>
State Patrol Highway Account--Private/Local Appropriation	\$1,290,000
TOTAL APPROPRIATION	((\$71,283,000))
	<u>\$71,089,000</u>

The appropriations in this section are subject to the following conditions and limitations:

((~~1~~)) Under the direction of the legislative auditor, the patrol shall update the pursuit vehicle life-cycle cost model developed in the 1998 Washington state patrol performance audit (JLARC Report 99-4). The patrol shall utilize the updated model as a basis for determining maintenance and other cost impacts resulting from the increase to pursuit vehicle mileage above 110 thousand miles in the 2003-05 biennium. The patrol shall submit a report, that includes identified cost impacts, to the transportation committees of the senate and house of representatives by December 31, 2003.

((~~2~~) The Washington state patrol shall assign two full-time detectives to work solely to investigate incidents of identity fraud, drivers' license fraud, and identity theft. The detectives shall work cooperatively with the department of licensing's driver's special investigation unit.))

Sec. 208. 2003 c 360 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES

DEPARTMENT OF LICENSING||MANAGEMENT AND SUPPORT SERVICES

Marine Fuel Tax Refund Account--State Appropriation	((\$7,000))
	<u>\$3,000</u>
Motorcycle Safety Education Account--State Appropriation	((\$85,000))
	<u>\$97,000</u>
Wildlife Account--State Appropriation	((\$77,000))
	<u>\$84,000</u>
<u>Highway Safety Account--Local Appropriation</u>	<u>\$6,000</u>
Highway Safety Account--State Appropriation	((\$8,286,000))
	<u>\$8,316,000</u>
Motor Vehicle Account--State Appropriation	((\$4,623,000))
	<u>\$4,403,000</u>
DOL Services Account--State Appropriation	((\$107,000))
	<u>\$144,000</u>

TOTAL APPROPRIATION ((~~\$13,185,000~~))
\$13,053,000

Sec. 209. 2003 c 360 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES DEPARTMENT OF LICENSING||INFORMATION SERVICES

Marine Fuel Tax Refund Account--State Appropriation \$2,000

Motorcycle Safety Education Account--State
Appropriation ((~~\$133,000~~))
\$144,000

Wildlife Account--State Appropriation ((~~\$58,000~~))
\$55,000

Highway Safety Account--State Appropriation ((~~\$10,489,000~~))
\$11,656,000

Highway Safety Account--Federal Appropriation \$6,000

Highway Safety Account--Local Appropriation \$60,000

Motor Vehicle Account--State Appropriation ((~~\$6,569,000~~))
\$6,285,000

DOL Services Account--State Appropriation ((~~\$670,000~~))
\$1,220,000

TOTAL APPROPRIATION ((~~\$17,927,000~~))
\$19,428,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall submit a report to the transportation committees of the legislature detailing the progress made in transitioning off of the Unisys system by December 1, 2003, and each December 1 thereafter.

(2) \$151,000 of the highway safety account--state appropriation is provided solely for the implementation of Third Substitute Senate Bill No. 5412. Within the amount provided, the department of licensing shall prepare to implement a "one-to-one" biometric matching system that compares the biometric identifier submitted to the individual applicant's record. The authority to expend funds provided under this subsection is subject to compliance with the provisions under section 504 of this act. If Third Substitute Senate Bill No. 5412 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

Sec. 210. 2003 c 360 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES DEPARTMENT OF LICENSING||VEHICLE SERVICES

Marine Fuel Tax Refund Account--State Appropriation	\$60,000
<u>License Plate Technology Account--State Appropriation</u>	<u>\$2,000,000</u>
Wildlife Account--State Appropriation	\$585,000
Motor Vehicle Account--Local Appropriation	\$1,372,000
Motor Vehicle Account--State Appropriation	((\$61,509,000))
	<u>\$58,193,000</u>
Motor Vehicle Account--Federal Appropriation	\$600,000
DOL Services Account--State Appropriation	((\$3,211,000))
	<u>\$3,844,000</u>
TOTAL APPROPRIATION	((\$67,337,000))
	<u>\$66,654,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$144,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5435 or Engrossed Substitute House Bill No. 1592.

(2) If Engrossed Senate Bill No. 6063 is not enacted by June 30, 2003, \$1,100,000 of the motor vehicle account--state appropriation shall lapse.

(3) \$81,000 of the DOL services account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1036.

(4) \$58,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6325. If Substitute Senate Bill No. 6325 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(5) \$192,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Engrossed Senate Bill No. 6710. If Engrossed Senate Bill No. 6710 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(6) \$25,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6688. If Substitute Senate Bill No. 6688 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(7) \$33,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute House Bill No.

2910. If Substitute House Bill No. 2910 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(8) \$25,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6148. If Substitute Senate Bill No. 6148 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(9) \$2,000,000 of the license plate technology account--state appropriation and \$400,000 of the motor vehicle account--state appropriation are provided solely for the implementation of a digital license plate printing system. Within the amounts provided, the department shall fund the implementation of a digital license plate system including: The purchase or lease of digital license plate printing equipment by correctional industries; the remodeling of space to provide climate control, ventilation, and power requirements, for the equipment that will be housed at correctional industries; and the purchase of digital license plate inventory. The department shall expend all of the license plate technology account--state appropriation before expending any of the motor vehicle account--state appropriation. By December 1, 2004, the department and correctional industries shall submit a joint report to the transportation committees of the legislature detailing a digital license plate printing system implementation plan. By June 30, 2005, the department and correctional industries shall submit a joint report to the transportation committees of the legislature concerning the cost of the consumables used in the digital license plate printing process.

Sec. 211. 2003 c 360 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES DEPARTMENT OF LICENSING||DRIVER SERVICES

Motorcycle Safety Education Account--State Appropriation	\$2,576,000
Highway Safety Account--State Appropriation	((\$84,809,000))
	<u>\$87,259,000</u>
Highway Safety Account--Federal Appropriation	\$318,000
<u>Highway Safety Account--Local Appropriation</u>	<u>\$67,000</u>
TOTAL APPROPRIATION	((\$87,703,000))
	<u>\$90,220,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$178,000 of the highway safety account--state appropriation is

provided solely for two temporary collision processing FTEs to eliminate the backlog of collision reports. The department shall report, informally, to the house of representatives and senate transportation committees quarterly, beginning October 1, 2003, on the progress made in eliminating the backlog.

(2) \$369,000 of the highway safety account--state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5428 or House Bill No. 1681. Within the amount provided in this subsection, the department is authorized to accept applications for driver's license and identicard renewals via the mail or internet. If Engrossed Substitute Senate Bill No. 5428 or House Bill No. 1681 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(3) \$282,000 of the highway safety account--state appropriation is provided solely for the implementation of Third Substitute Senate Bill No. 5412. Within the amount provided, the department of licensing shall prepare to implement a "one-to-one" biometric matching system that compares the biometric identifier submitted to the individual applicant's record. The authority to expend funds provided under this subsection is subject to compliance with the provisions under section 504 of this act. If Third Substitute Senate Bill No. 5412 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(4) \$354,000 of the highway safety account--state appropriation is provided solely for the implementation of Substitute House Bill No. 2532. If Substitute House Bill No. 2532 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

(5) \$538,000 of the highway safety account--state appropriation is provided solely for the implementation of Substitute House Bill No. 2660. If Substitute House Bill No. 2660 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

Sec. 212. 2003 c 360 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM

C DEPARTMENT OF TRANSPORTATION INFORMATION TECHNOLOGY--PROGRAM C	
Motor Vehicle Account--State Appropriation	((\$58,661,000))
	<u>\$56,236,000</u>
Motor Vehicle Account--Federal Appropriation	\$5,163,000
Puget Sound Ferry Operations Account--State	
Appropriation	((\$6,583,000))

	<u>\$7,038,000</u>
Multimodal Transportation Account--State Appropriation . .	\$363,000
TOTAL APPROPRIATION	((\$70,770,000))
	<u>\$68,800,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$715,000 of the motor vehicle account--state appropriation is provided solely to retain an external consultant to provide an assessment of the department's review of current major information technology systems and planning for system and application modernization. The legislative transportation committee shall approve the statement of work before the consultant is hired. The consultant shall also work with the department to prepare an application modernization strategy and preliminary project plan.~~

~~—The department and the consultant shall work with the office of financial management and the department of information services to ensure that (a) the department's current and future system development is consistent with the overall direction of other key state systems; and (b) when possible, common statewide information systems are used or developed to encourage coordination and integration of information used by the department and other state agencies and to avoid duplication. The department shall provide a report on its proposed application modernization plan to the transportation committees of the legislature by June 30, 2004.))~~ \$850,000 of the motor vehicle account--state appropriation is provided for the continued maintenance and support of the transportation executive information system (TEIS). The TEIS shall be enhanced during the 2004 interim to shift towards a monitoring and reporting system capable of tracking and reporting on major project milestones and measurements. The department shall work with the legislature to identify and define meaningful milestones and measures to be used in monitoring the scope, schedule, and cost of projects.

(2) (a) (~~(\$2,963,000)~~) \$2,959,000 of the motor vehicle account--state appropriation and \$2,963,000 of the motor vehicle account--federal appropriation are provided solely for implementation of a new revenue collection system, including the integration of the regional fare coordination system (smart card), at the Washington state ferries. By December 1st of each year, an annual update must be provided to the legislative transportation committee concerning the status of implementing and completing this project.

(b) (~~(\$400,000)~~) \$200,000 of the Puget Sound ferry operation

account--state appropriation is provided solely for implementation of the smart card program. (~~(\$200,000 of this amount must be held in allotment reserve until a smart card report is delivered to the legislative transportation committee indicating that an agreement on which technology will be used throughout the state of Washington for the smart card program has been reached among smart card participants.)~~)

(3) The department shall contract with the department of information services to conduct a survey that identifies possible opportunities and benefits associated with siting and use of technology and wireless facilities located on state right of way authorized by RCW 47.60.140. The department shall submit a report regarding the survey to the appropriate legislative committees by December 1, 2004.

Sec. 213. 2003 c 360 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING DEPARTMENT OF TRANSPORTATION||FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D

Motor Vehicle Account--State Appropriation (~~(\$31,048,000)~~)
\$30,981,000

Sec. 214. 2003 c 360 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F DEPARTMENT OF TRANSPORTATION||AVIATION--PROGRAM F

Aeronautics Account--State Appropriation (~~(\$5,107,000)~~)
\$5,607,000

Aeronautics Account--Federal Appropriation (~~(\$650,000)~~)
\$2,150,000

Aircraft Search and Rescue Safety and Education
Account--State Appropriation (~~(\$282,000)~~)
\$260,000

TOTAL APPROPRIATION (~~(\$6,039,000)~~)
\$8,017,000

The appropriations in this section are subject to the following conditions and limitations: \$1,381,000 of the aeronautics account--state appropriation is provided solely for additional preservation grants to airports. (~~(\$122,000 of the aircraft search and rescue~~

~~safety and education account--state appropriation is provided for additional search and rescue and safety and education activities.))~~ If Senate Bill No. 6056 is not enacted by June 30, 2003, the amounts provided shall lapse.

Sec. 215. 2003 c 360 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H DEPARTMENT OF TRANSPORTATION||PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H

Motor Vehicle Account--State Appropriation	((\$49,010,000))	<u>\$49,056,000</u>
Motor Vehicle Account--Federal Appropriation	\$400,000	
TOTAL APPROPRIATION	((\$49,410,000))	<u>\$49,456,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$14,310,000 of the motor vehicle account--state appropriation is provided solely for the staffing, activities, and overhead of the department's environmental affairs office. This funding is provided in lieu of funding provided in sections 305 and 306 of this act.

(2) \$3,100,000 of the motor vehicle account--state appropriation is provided solely for the staffing and activities of the transportation permit efficiency and accountability committee. The committee shall develop a model national environmental policy act (NEPA) tribal consultation process for federal transportation aid projects related to the preservation of cultural, historic, and environmental resources. The process shall ensure that Tribal participation in the NEPA consultation process is conducted pursuant to treaty rights, federal law, and state statutes, consistent with their expectations for protection of such resources.

(3) \$300,000 of the motor vehicle account--state appropriation is provided to the department in accordance with RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department solely for the purposes of providing contract services to the association of Washington cities and Washington state association of counties to implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of 2003 for activities of the transportation permit efficiency and accountability committee.

Sec. 216. 2003 c 360 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K

DEPARTMENT OF TRANSPORTATION||ECONOMIC PARTNERSHIPS--PROGRAM K

Motor Vehicle Account--State Appropriation	((\$1,011,000))
	<u>\$1,411,000</u>

The appropriation in this section is subject to the following conditions and limitations: \$200,000 of the motor vehicle account--state appropriation is provided solely for a traffic study of the Mount Saint Helens tourist and recreational area. The study shall analyze existing and potential traffic patterns in the area. \$200,000 of the motor vehicle account--state appropriation is provided solely for an economic analysis study of the Mount Saint Helens tourist and recreational area. The study shall develop funding strategies sufficient to fund construction of a connection between state route number 504 and forest service road number 99. The economic study shall also include an analysis of potential partnership funding plans involving the use of tolls in order to determine the potential to pay for ongoing maintenance and operations requirements of visitor centers, roads, and other amenities provided to tourists. The purpose and results of the studies shall be made available to citizens, businesses, and community organizations in the affected area. The studies shall be completed and submitted to the transportation committees of the legislature by December 31, 2004.

Sec. 217. 2003 c 360 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M

DEPARTMENT OF TRANSPORTATION||HIGHWAY MAINTENANCE--PROGRAM M

Motor Vehicle Account--State Appropriation	((\$283,350,000))
	<u>\$283,991,000</u>
Motor Vehicle Account--Federal Appropriation	\$1,426,000
Motor Vehicle Account--Private/Local Appropriation	\$4,253,000
TOTAL APPROPRIATION	((\$289,029,000))
	<u>\$289,670,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) If portions of the appropriations in this section are required to fund maintenance work resulting from major disasters not covered by federal emergency funds such as fire, flooding, and major slides,

supplemental appropriations must be requested to restore state funding for ongoing maintenance activities.

(2) The department shall request an unanticipated receipt for any federal moneys received for emergency snow and ice removal and shall place an equal amount of the motor vehicle account--state into unallotted status. This exchange shall not affect the amount of funding available for snow and ice removal.

(3) The department shall request an unanticipated receipt for any private or local funds received for reimbursements of third party damages that are in excess of the motor vehicle account--private/local appropriation.

(4) Funding is provided for maintenance on the state system to allow for a continuation of the level of service targets included in the 2001-03 biennium. In delivering the program, the department should concentrate on the following areas:

(a) Meeting or exceeding the target for structural bridge repair on a statewide basis;

(b) Eliminating the number of activities delivered in the "f" level of service at the region level;

(c) Reducing the number of activities delivered in the "d" level of service by increasing the resources directed to those activities on a statewide and region basis; and

(d) Evaluating, analyzing, and potentially redistributing resources within and among regions to provide greater consistency in delivering the program statewide and in achieving overall level of service targets.

Sec. 218. 2003 c 360 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--OPERATING DEPARTMENT OF TRANSPORTATION|TRAFFIC OPERATIONS--PROGRAM Q--OPERATING

Motor Vehicle Account--State Appropriation	((\$38,869,000))	
		<u>\$38,924,000</u>
Motor Vehicle Account--Private/Local Appropriation	\$125,000	
TOTAL APPROPRIATION	((\$38,994,000))	
		<u>\$39,049,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,800,000 of the motor vehicle account--state

appropriation may be expended for the incident response program, including the service patrols. The department and the Washington state patrol shall continue to consult and coordinate with private sector partners, such as towing companies, media, auto, insurance and trucking associations, and the legislative transportation committees to ensure that limited state resources are used most effectively. No funds shall be used to purchase tow trucks.

(2) \$4,400,000 of the motor vehicle account--state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis.

(3) At a frequency determined by the department, the interstate-5 variable message signs shall display a message advising slower traffic to keep right.

(4) The appropriation authority under this section includes spending authority to administer the motorist information sign panel program. The department shall establish the annual fees charged for these services so that all costs to administer this program are recovered; in no event, however, shall the department charge more than:

(a) \$1,000 per business per location on freeways and expressways with average daily trips greater than 80,000;

(b) \$750 per business per location on freeways and expressways with average daily trips less than 80,000; and

(c) \$400 per business per location on conventional highways.

Sec. 219. 2003 c 360 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S DEPARTMENT OF TRANSPORTATION||TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S

Motor Vehicle Account--State Appropriation	((\$24,852,000))
	<u>\$24,579,000</u>
Motor Vehicle Account--Federal Appropriation	\$636,000
Puget Sound Ferry Operations Account--State Appropriation	\$1,093,000
Multimodal Transportation Account--State Appropriation . .	\$973,000
TOTAL APPROPRIATION	((\$27,554,000))
	<u>\$27,281,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$627,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30, 2003, the amount provided in this subsection shall lapse. The agency may transfer between programs funds provided in this subsection.

(2) The department shall transfer at no cost to the Washington state patrol the title to the Walla Walla colocation facility.

Sec. 220. 2003 c 360 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T DEPARTMENT OF TRANSPORTATION||TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T

Motor Vehicle Account--State Appropriation (~~(\$30,064,000)~~)
\$29,494,000

Motor Vehicle Account--Federal Appropriation \$14,814,000

Multimodal Transportation Account--State
Appropriation (~~(\$1,021,000)~~)
\$1,521,000

Multimodal Transportation Account--Federal Appropriation \$2,000,000

TOTAL APPROPRIATION (~~(\$47,899,000)~~)
\$47,829,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,800,000 of the motor vehicle account--state appropriation is provided solely for a study of regional congestion relief solutions for Puget Sound (including state route 169), Spokane, and Vancouver. The study must include proposals to alleviate congestion consistent with population and land use expectations under the growth management act, and must include measurement of all modes of transportation.

(2) \$2,000,000 of the motor vehicle account--state appropriation is provided solely for additional assistance to support regional transportation planning organizations and long-range transportation planning efforts. As a condition of receiving this support, a regional transportation planning organization containing any county with a population in excess of one million shall provide voting membership on its executive board to any incorporated principal city of a metropolitan statistical area within the region, as designated by the United States census bureau.

(3) \$3,000,000 of the motor vehicle account--state appropriation is

provided solely for the costs of the regional transportation investment district (RTID) election and department of transportation project oversight. These funds are provided as a loan to the RTID and shall be repaid to the state motor vehicle account within one year following the certification of the election results related to the RTID.

(4) \$650,000 of the motor vehicle account--state appropriation is provided to the department in accordance with RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department to support the processing and analysis of the backlog of city and county collision reports.

(5) The department shall contribute to the report required in section 208(1) of this act in the form of an analysis of the cost impacts incurred by the department as the result of the policy implemented in section 208(1) of this act. The analysis shall contrast overtime costs charged by the patrol prior to July 1, 2003, with contract costs for similar services after July 1, 2003.

(6) \$60,000 of the distribution under RCW 46.68.110(2) and 46.68.120(3) is provided solely to the department for the Washington strategic freight transportation analysis.

(7) \$500,000 of the multimodal transportation account--state appropriation is provided solely for contracting with the department of natural resources to develop data systems for state submerged lands that can be shared with other governmental agencies and that can support the state vision for ecoregional planning. The data to be shared shall include, but not limited to, tabular and geospatial data describing public land ownership, distributions of native plants, marine and aquatic species and their habitats, physical attributes, aquatic ecosystems, and specially designated conservation or environmentally sensitive areas.

Sec. 221. 2003 c 360 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--
PROGRAM U DEPARTMENT OF TRANSPORTATION||CHARGES FROM OTHER AGENCIES--
PROGRAM U**

Motor Vehicle Account--State Appropriation (~~(\$61,082,000)~~)
\$54,738,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$50,799,000 of the motor vehicle fund--state appropriation is

provided solely for the liabilities attributable to the department of transportation. The office of financial management must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

(2) Payments in this section represent charges from other state agencies to the department of transportation.

(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK MANAGEMENT FEES ((~~\$989,000~~))
\$848,000

(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR ((~~\$823,000~~))
\$819,000

(c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES . \$3,850,000

(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL ((~~\$2,252,000~~))
\$2,786,000

(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND ADMINISTRATION ((~~\$50,799,000~~))
\$43,799,000

(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,846,000

(g) FOR ARCHIVES AND RECORDS MANAGEMENT ((~~\$523,000~~))
\$538,000

(h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES \$252,000

Sec. 222. 2003 c 360 s 224 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V
DEPARTMENT OF TRANSPORTATION||PUBLIC TRANSPORTATION--PROGRAM V
Multimodal Transportation Account--State

Appropriation ((~~\$46,457,000~~))
\$47,057,000

Multimodal Transportation Account--Federal Appropriation \$2,574,000

Multimodal Transportation Account--Private/Local

Appropriation \$155,000

TOTAL APPROPRIATION ((~~\$49,186,000~~))
\$49,786,000

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$4,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for nonprofit providers of transportation for persons with special transportation needs. \$14,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for transit agencies to transport persons with special transportation needs. Moneys shall be to provide additional service only and may not be used to supplant current funding. Grants shall only be used by nonprofit providers and transit agencies for capital and operating costs directly associated with adding additional service. Grants for nonprofit providers shall be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Grants for transit agencies shall be prorated based on the amount expended for demand response service and route deviated service in calendar year 2001 as reported in the "Summary of Public Transportation -- 2001" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.))~~
\$18,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation.

(a) \$4,000,000 of the amount provided in this subsection is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers shall be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$14,000,000 of the amount provided in this subsection is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies shall be prorated based on the amount expended for demand response service and route deviated service in calendar year 2001 as reported in the "Summary of Public Transportation - 2001" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$1,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to implement section 9 of Engrossed Substitute House Bill No. 2228.

(3) Funds are provided for the rural mobility grant program as follows:

(a) \$6,000,000 of the multimodal transportation account--state appropriation is provided solely for grants for those transit systems serving small cities and rural areas as identified in the Summary of Public Transportation - 2001 published by the department of transportation. Noncompetitive grants must be distributed to the transit systems serving small cities and rural areas in a manner similar to past disparity equalization programs.

(b) \$4,000,000 of the multimodal transportation account--state appropriation is provided solely to providers of rural mobility service in areas not served or underserved by transit agencies through a competitive grant process.

(4) \$4,000,000 of the multimodal transportation account--state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; no operating costs for public transit agencies are eligible for funding under this grant program. ~~((Only grants that add vanpools are eligible, no))~~ No additional employees may be hired for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. Additional criteria for selecting grants will include leveraging funds other than state funds. The commute trip reduction task force shall determine the cost effectiveness of the grants, including vanpool system coordination, regarding the use of the funds.

(5) \$100,000 of the multimodal transportation account--state appropriation is provided solely for the commute trip reduction program for Benton county.

(6) \$3,000,000 of the multimodal transportation account--state appropriation is provided to the city of Seattle for the Seattle streetcar project on South Lake Union.

(7) \$500,000 of the multimodal transportation account--state appropriation is provided solely to King county as a state match to obtain federal funding for a car sharing program.

Sec. 223. 2003 c 360 s 225 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X DEPARTMENT OF
TRANSPORTATION||MARINE--PROGRAM X

Puget Sound Ferry Operations Account--State

Appropriation ((~~\$309,580,000~~))
\$312,490,000

Multimodal Transportation Account--State

Appropriation \$5,120,000
TOTAL APPROPRIATION ((~~\$314,700,000~~))
\$317,610,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriation is based on the budgeted expenditure of ((~~\$34,701,000~~)) \$35,348,000 for vessel operating fuel in the 2003-2005 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount may not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

(2) The appropriation provides for the compensation of ferry employees. The expenditures for compensation paid to ferry employees during the 2003-2005 biennium may not exceed ((~~\$207,757,000~~)) \$208,935,700, plus a dollar amount, as prescribed by the office of financial management, that is equal to any insurance benefit increase granted general government employees in excess of \$495.30 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 2004 and \$567.67 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 2005, a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges, and a dollar amount prescribed by the office of financial management for salary increases during the 2003-2005 biennium. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "B" (7.2.6.2).

The prescribed salary increase or decrease dollar amount that shall be allocated from the governor's compensation appropriations is in addition to the appropriation contained in this section and may be used to increase or decrease compensation costs, effective July 1, 2003, and thereafter, as established in the 2003-2005 general fund operating

budget.

(3) \$4,234,000 of the multimodal transportation account--state appropriation and \$800,000 of the Puget Sound ferry operations account--state appropriation are provided solely for operating costs associated with the Vashon to Seattle passenger-only ferry. The Washington state ferries will develop a plan to increase passenger-only farebox recovery to at least forty percent by July 1, 2003, with an additional goal of eighty percent, through increased fares, lower operation costs, and other cost-saving measures as appropriate. In order to implement the plan, ferry system management is authorized to negotiate changes in work hours (requirements for split shift work), but only with respect to operating passenger-only ferry service, to be included in a collective bargaining agreement in effect during the 2003-05 biennium that differs from provisions regarding work hours in the prior collective bargaining agreement. The department must report to the transportation committees of the legislature by December 1, 2003.

(4) \$984,000 of the Puget Sound ferry operations account--state appropriation is provided solely for ferry security operations necessary to comply with the ferry security plan submitted by the Washington state ferry system to the United States coast guard. The department shall track security costs and expenditures. Ferry security operations costs shall not be included as part of the operational costs that are used to calculate farebox recovery.

(5) \$866,000 of the multimodal transportation account--state appropriation and \$200,000 of the Puget Sound ferry operations account--state appropriation are provided solely for operating costs associated with the Bremerton to Seattle passenger-only ferry service for thirteen weeks.

~~((+5))~~ (6) The department shall study the potential for private or public partners, including but not limited to King county, to provide passenger-only ferry service from Vashon to Seattle. The department shall report to the legislative transportation committees by December 31, 2003.

~~((+6))~~ (7) The Washington state ferries shall continue to provide service to Sidney, British Columbia.

~~((+7))~~ (8) When augmenting the existing ferry fleet, the department of transportation ferry capital program shall explore cost-effective options to include the leasing of ferries from private-sector organizations.

~~((+8))~~ (9) The Washington state ferries shall work with the

department of general administration, office of state procurement to improve the existing fuel procurement process and solicit, identify, and evaluate, purchasing alternatives to reduce the overall cost of fuel and mitigate the impact of market fluctuations and pressure on both short- and long-term fuel costs. Consideration shall include, but not be limited to, long-term fuel contracts, partnering with other public entities, and possibilities for fuel storage in evaluating strategies and options. The department shall report back to the transportation committees of the legislature by December 1, 2003, on the options, strategies, and recommendations for managing fuel purchases and costs.

~~((9))~~ (10) The department must provide a separate accounting of passenger-only ferry service costs and auto ferry service costs, and must provide periodic reporting to the legislature on the financial status of both passenger-only and auto ferry service in Washington state.

~~((10))~~ (11) The Washington state ferries must work with the department's information technology division to implement a new revenue collection system, including the integration of the regional fare coordination system (smart card). Each December, annual updates are to be provided to the transportation committees of the legislature concerning the status of implementing and completing this project, with updates concluding the first December after full project implementation.

~~((11))~~ (12) The Washington state ferries shall evaluate the benefits and costs of selling the depreciation rights to ferries purchased by the state in the future through sale and lease-back agreements, as permitted under RCW 47.60.010. The department is authorized to issue a request for proposal to solicit proposals from potential buyers. The department must report to the transportation committees of the legislature by December 1, 2004, on the options, strategies, and recommendations for sale/lease-back agreements on existing ferry boats as well as future ferry boat purchases.

Sec. 224. 2003 c 360 s 226 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING
DEPARTMENT OF TRANSPORTATION||RAIL--PROGRAM Y--OPERATING
Multimodal Transportation Account--State

Appropriation ~~(((\$35,075,000))~~
\$34,118,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (~~(\$30,831,000)~~) \$29,961,000 of the multimodal transportation account--state appropriation is provided solely for the Amtrak service contract and Talgo maintenance contract associated with providing and maintaining the state-supported passenger rail service.

(2) No Amtrak Cascade runs may be eliminated.

(3) The department is directed to explore scheduling changes that will reduce the delay in Seattle when traveling from Portland to Vancouver B.C.

(4) The department is directed to explore opportunities with British Columbia (B.C.) concerning the possibility of leasing an existing Talgo trainset to B.C. during the day for a commuter run when the Talgo is not in use during the Bellingham layover.

(5) The department shall undertake an origin and destination study to provide data that may be used for a new passenger train cost sharing agreement with the state of Oregon. The study shall be delivered to the transportation committees of the legislature before July 1, 2004.

Sec. 225. 2003 c 360 s 227 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--
OPERATING** DEPARTMENT OF TRANSPORTATION||LOCAL PROGRAMS--PROGRAM Z--
OPERATING

Motor Vehicle Account--State Appropriation	((\$7,057,000))
	<u>\$7,067,000</u>
Motor Vehicle Account--Federal Appropriation	\$2,569,000
TOTAL APPROPRIATION	((\$9,626,000))
	<u>\$9,636,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$75,000 of the total appropriation is provided in accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's share of the 2004 Washington marine cargo forecast study. Public port districts, acting through their association, must provide funding to cover the remaining cost of the forecast.

(2) \$300,000 of the motor vehicle account--state appropriation is provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to fund a study of the threats posed by flooding to the state and other infrastructure near the Interstate 5 crossing of the Skagit River.

This funding is contingent on the receipt of federal matching funds.

(3) In addition to other gubernatorial appointees, the state historic preservation officer shall be appointed to any steering committee that makes the final selection of projects funded from the surface transportation program enhancement funds or a similar program anticipated to be authorized in the extension or reauthorization of the transportation equity act for the 21st century (TEA-21).

TRANSPORTATION AGENCIES--CAPITAL

Sec. 301. 2003 c 360 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS) --CAPITAL DEPARTMENT OF TRANSPORTATION||PROGRAM D--CAPITAL

Motor Vehicle Account--State Appropriation ((\$17,296,000))
\$17,186,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The entire motor vehicle account--state appropriation is provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List - Current Law report as transmitted to LEAP on April 27, 2003.

(2) The department shall develop a standard design for all maintenance facilities to be funded under this section. Prior to developing design standards, the department must solicit input from all personnel classifications typically employed at maintenance facilities. By September 1, 2003, the department shall submit a report to the legislative transportation committees describing the stakeholder involvement process undertaken and the adopted design standards for maintenance facilities.

Sec. 302. 2003 c 360 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I DEPARTMENT OF TRANSPORTATION||IMPROVEMENTS--PROGRAM I

Transportation 2003 Account (Nickel Account)--State
Appropriation ((\$565,300,000))
\$558,465,000
(~~Transportation 2003 Account (Nickel Account)--Federal~~)

Appropriation	-\$950,000
Transportation 2003 Account (Nickel Account)--Local	
Appropriation	-\$3,434,000))
Motor Vehicle Account--State Appropriation	((\$157,374,000))
	<u>\$159,135,000</u>
Motor Vehicle Account--Federal Appropriation	((\$192,940,000))
	<u>\$201,578,000</u>
Motor Vehicle Account--Local Appropriation	((\$13,258,000))
	<u>\$30,158,000</u>
Special Category C Account--State Appropriation	\$50,279,000
Tacoma Narrows Toll Bridge Account Appropriation	((\$613,300,000))
	<u>\$603,992,000</u>
TOTAL APPROPRIATION	((\$1,596,835,000))
	<u>\$1,603,607,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$157,374,000 of the motor vehicle account--state appropriation, \$192,940,000 of the motor vehicle account--federal appropriation, \$13,258,000 of the motor vehicle account--local appropriation, and \$50,279,000 of the special category C account--state appropriation are provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List -- Current Law report as transmitted to LEAP on April 27, 2003.~~)) The entire transportation 2003 account (nickel account) appropriation is provided solely for the projects and activities as listed by project, biennium, and amount in the Legislative 2003 Transportation Project List - New Law List under the heading "Nickel Funds" as transmitted to LEAP on March 11, 2004. However, limited transfers of allocations between projects may occur for those amounts listed for the 2003-05 biennium subject to conditions and limitations in section 503 of this act.

(a) Within the amount provided in this subsection, \$11,000,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for the environmental impact statement on the SR 520 Evergreen floating bridge.

(b) Within the amount provided in this subsection, \$250,000 of the transportation 2003 account (Nickel Account)--state appropriation and an equal amount from the city of Seattle are provided solely for an analysis of the impacts that an expansion of the SR 520 Evergreen floating bridge will have on the streets of North Capitol Hill, Roanoke

Park, and Montlake. An advisory committee with two members each from Portage Bay/Roanoke Park Community Council, Montlake Community Council, and the North Capitol Hill community organization along with the secretary of transportation is established. The seven-member committee shall hire and oversee the contract with a transportation consulting organization to: (a) Perform an analysis of such impacts; and (b) design a traffic and circulation plan that mitigates the adverse consequences of such impacts. If the city of Seattle does not agree to provide \$250,000 by January 1, 2004, the amount provided in this subsection (1)(b) shall lapse.

(2) \$126,533,253 of the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided solely to implement the projects as indicated in the Legislative 2003 Transportation Project List - New Law List under the heading "Pre-Existing Revenues" as transmitted to LEAP on March 11, 2004.

(3) The motor vehicle account--state appropriation includes (~~(\$78,000,000)~~) \$93,615,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation. The motor vehicle account--state appropriation includes (~~(\$18,038,000)~~) \$17,380,000 in unexpended proceeds from bond sales authorized in RCW 47.10.843 for mobility and economic initiative improvement projects.

(~~((+3))~~) (4) \$192,180,381 of the motor vehicle account--state appropriation and motor vehicle account--federal appropriation and \$50,279,000 of the special category C account--state appropriation are provided solely to implement the projects included in the Legislative 2003 Transportation Project List - Current Law List under the heading "Improvement Projects" as transmitted to LEAP on March 11, 2004. The department shall manage all projects on the list within the overall expenditure authority provided in this subsection.

(a) Within the amounts provided in this subsection, \$1,700,000 of the motor vehicle account--state appropriation is provided solely for the I-5 Salmon creek noisewall project.

(b) Within amounts provided in this subsection, \$100,000 of the motor vehicle account--state appropriation is provided solely for the department to hire a consultant to complete a cost-benefit analysis comparing the efficiency of having high-occupancy vehicle (HOV) lanes in the right lane versus the left lane. The study shall compare the costs, and the traffic efficiencies of building HOV lanes in the right

and left lanes. The study shall be completed and submitted to the transportation committees of the legislature by December 1, 2004.

(c) Within amounts provided in this subsection, \$500,000 of the motor vehicle account--state appropriation is provided solely for a study to provide the legislature with information regarding the feasibility of pursuing a Washington commerce corridor. The department shall retain outside experts to conduct the study. The study must include the following conditions:

(i) The Washington commerce corridor must be a north-south corridor starting in the vicinity of Lewis county and extending northerly to the vicinity of the Canadian border. The corridor must be situated east of state route number 405 and west of the Cascades. The corridor may include any of the following features:

(A) Ability to carry long-haul freight;

(B) Ability to provide for passenger auto travel;

(C) Freight rail;

(D) Passenger rail;

(E) Public utilities; and

(F) Other ancillary facilities as may be desired to maximize use of the corridor;

(ii) The Washington commerce corridor must be developed, financed, designed, constructed, and operated by private sector consortiums;

(iii) The Washington commerce corridor must be subject to a joint permitting process involving federal, state, and local agencies with jurisdiction; and

(iv) The legislative transportation committee shall form a working group to work with the department and the outside consultant on the study.

(d) Within the amounts provided in this subsection, \$2,480,000 of the motor vehicle account--state appropriation is provided solely for either the SR 28 east end of the George Sellar bridge - phase 1 project or the US 2/97 Peshastin East Interchange project.

(e) Within the amounts provided in this subsection, \$400,000 of the motor vehicle account--state appropriation and \$150,000 of the motor vehicle account--local appropriation are provided solely for a route development plan to identify the future transportation improvements that should be pursued for state route 169. The study shall include the following elements:

(i) Documentation of existing conditions;

(ii) Determination of present and future operating conditions;

(iii) Development and testing of various transportation conceptual

improvement strategies;

(iv) Preliminary environmental analysis;

(v) Public involvement; and

(vi) Cost estimates for the identified conceptual improvements.

(f) Within the amounts provided in this subsection, \$1,200,000 from the motor vehicle account--state appropriation is provided solely for the SR507-SR510 Yelm Bypass project.

(g) Within the amount provided in this subsection, \$650,000 from the motor vehicle account--state appropriation is provided solely for the SR164 Corridor Analysis project.

(5) A maximum of \$28,643,607 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided for direct project support costs, including, but not limited to, direct project support, property management, scenic byways, and other administration.

(6) A maximum of \$9,238,726 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided for environmental retrofit improvement projects not included in the list in subsection (4) of this section.

(7) A maximum of \$2,266,813 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided for improvement projects programmed through the transportation commission's priority programming process.

(8) The Tacoma Narrows toll bridge account--state appropriation includes \$567,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--state appropriation includes ((~~\$46,300,000~~)) \$36,992,000 in unexpended proceeds from the January 2003 bond sale authorized in RCW 47.10.843 for the Tacoma Narrows bridge project.

~~((~~4~~))~~ (9) The special category C account--state appropriation includes \$44,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.812. The transportation commission may authorize the use of current revenues available in the special category C account in lieu of bond proceeds for any part of the state appropriation.

~~((~~5~~) The entire transportation 2003 account (nickel account) appropriation is provided solely for the projects and activities as indicated in the Legislative 2003 Transportation Project List -- New Law report transmitted to LEAP on April 27, 2003.~~

~~---((~~6~~))~~ (10) The ((motor vehicle account)) transportation 2003 account (nickel account)--state appropriation includes ((~~\$280,000,000~~)) \$275,000,000 in proceeds from the sale of bonds authorized by Senate

Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

~~((7) \$11,000,000 of the motor vehicle account--state appropriation is provided solely for the environmental impact statement on the SR 520 Evergreen floating bridge.~~

~~——(8) \$250,000 of the transportation 2003 account (Nickel Account)--state appropriation and an equal amount from the city of Seattle are provided solely for an analysis of the impacts that an expansion of the SR 520 Evergreen floating bridge will have on the streets of North Capitol Hill, Roanoke Park, and Montlake. An advisory committee with two members each from Portage Bay/Roanoke Park Community Council, Montlake Community Council, and the North Capitol Hill community organization along with the secretary of transportation is established. The seven-member committee shall hire and oversee the contract with a transportation consulting organization to: (a) Perform an analysis of such impacts; and (b) design a traffic and circulation plan that mitigates the adverse consequences of such impacts. If the city of Seattle does not agree to provide \$250,000 by January 1, 2004, the amount provided in this subsection shall lapse.~~

~~——(9) (a) \$500,000 of the motor vehicle account--state appropriation is provided solely for a study to provide the legislature with information regarding the feasibility of pursuing a Washington commerce corridor. The department shall retain outside experts to conduct the study. The study must include the following conditions:~~

~~——(i) The Washington commerce corridor must be a north-south corridor starting in the vicinity of Lewis county and extending northerly to the vicinity of the Canadian border. The corridor must be situated east of state route number 405 and west of the Cascades. The corridor may include any of the following features:~~

~~——(A) Ability to carry long-haul freight;~~

~~——(B) Ability to provide for passenger auto travel;~~

~~——(C) Freight rail;~~

~~——(D) Passenger rail;~~

~~——(E) Public utilities; and~~

~~——(F) Other ancillary facilities as may be desired to maximize use of the corridor;~~

~~——(ii) The Washington commerce corridor must be developed, financed, designed, constructed, and operated by private sector consortiums; and~~

~~——(iii) The Washington commerce corridor must be subject to a joint permitting process involving federal, state, and local agencies with~~

~~jurisdiction.~~

~~(b) The legislative transportation committee shall form a working group to work with the department and the outside consultant on the study.~~

~~(10) \$8,000,000 of the motor vehicle account--state appropriation is provided for the SR 522, University of Washington-Bothell campus access project. This amount will cover approximately one-half of the construction costs.))~~

(11) The transportation permit efficiency and accountability committee (TPEAC) shall select from the project list under ~~((this))~~ subsection (1) of this section ten projects that have not yet secured state permits. TPEAC shall select projects from both urban and rural areas representing a wide variety of locations within the state. These projects shall be designated "Department of Transportation Permit Drafting Pilot Projects" and shall become a part of the work plan of TPEAC required under section 2(1)(b), chapter 8 (ESB 5279), Laws of 2003.

(12) Of the amounts appropriated in this section and section 306 of this act, no more than \$124,000 is provided for increased project costs due to the enactment of Substitute Senate Bill No. 5457.

~~((14))~~ (13) To manage some projects more efficiently, federal funds may be transferred from program Z to program I ~~((to replace those federal))~~ and replaced with state funds in a dollar-for-dollar match. However, funds may not be transferred between federal programs, except in order to accept federally earmarked funds and maintain eligibility for federal discretionary programs. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department shall not transfer funds as authorized under this subsection without approval of the transportation commission and the director of financial management. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2004.

(14) The department shall, on a quarterly basis beginning July 1, 2004, provide to the legislature reports providing the status on each project in the project lists submitted pursuant to this act to LEAP on March 11, 2004, and on any additional projects for which the department has expended funds during the 2003-05 fiscal biennium. The department shall work with the transportation committees of the legislature to agree on report formatting and elements. Elements shall include, but

not be limited to, project scope, schedule, and costs. The department shall also provide the information required under this subsection via the transportation executive information systems (TEIS).

(15) Funding provided by this act for the Alaskan Way Viaduct project shall not be spent for preliminary engineering, design, right of way acquisition, or construction on the project if it could have the effect of reducing roadway capacity on that facility.

(16) In conducting its environmental impact statement responsibilities on the Alaskan Way Viaduct project, the department of transportation must provide briefings and consult with the legislators in the affected project area, and the chairs of the transportation committees of the legislature, on the design alternatives for that facility.

Sec. 303. 2003 1st sp.s. c 26 s 506 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P
DEPARTMENT OF TRANSPORTATION||PRESERVATION--PROGRAM P
Transportation 2003 Account (Nickel Account) \$2,000,000
Motor Vehicle Account--State Appropriation ((~~\$178,909,000~~))
\$205,349,000
Motor Vehicle Account--Federal Appropriation ((~~\$457,467,000~~))
\$499,067,000
Motor Vehicle Account--Local Appropriation \$12,666,000
Multimodal Account--State Appropriation \$1,690,000
(~~(Multimodal Account--Federal Appropriation \$4,247,000)~~)
Puyallup Tribal Settlement Account--State
Appropriation \$11,000,000
TOTAL APPROPRIATION ((~~\$656,979,000~~))
\$731,772,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$178,909,000~~ of the motor vehicle account--state appropriation, ~~\$457,467,000~~ of the motor vehicle account--federal appropriation, ~~\$12,666,000~~ of the motor vehicle account--local appropriation, ~~\$1,690,000~~ of the multimodal transportation account--state appropriation, and ~~\$4,247,000~~ of the multimodal transportation account--federal appropriation are provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List - Current Law report transmitted to LEAP on April 27,~~

~~2003-))~~ The entire 2003 transportation account (nickel account) appropriation is provided solely for the projects and activities as listed by project, biennium, and amount in the Legislative 2003 Transportation Project List - New Law List under the heading "Nickel Funds" as transmitted to LEAP on March 11, 2004. However, limited transfers of allocations between projects may occur for those amounts listed for the 2003-05 biennium subject to conditions and limitations in section 503 of this act.

(2) \$35,974,657 of the motor vehicle account--state appropriation and motor vehicle account--federal appropriation and \$11,000,000 of the Puyallup tribal settlement account--state appropriation are provided solely to implement the projects included in the Legislative 2003 Transportation Project List - Current Law List under the heading "Bridge Improvements" as transmitted to LEAP on March 11, 2004. The department shall manage all projects on the list within the overall expenditure authority provided in this subsection.

(a) Within the amounts provided in this subsection, \$1,000,000 of the motor vehicle account--state appropriation is provided solely for the Purdy creek bridge project. The 2005-07 biennium appropriations for this project are expected to be \$5,074,000.

(b) Within the amounts provided in this subsection, \$11,000,000 of the Puyallup tribal settlement account--state appropriation is provided solely for mitigation costs associated with the Murray Morgan/11st Street Bridge demolition. The department may negotiate with the city of Tacoma for the purpose of transferring ownership of the Murray Morgan/11th Street Bridge to the city. The department is allowed to use the Puyallup tribal settlement account appropriation, as well as any funds appropriated in the current biennium and planned in future biennia for the demolition and mitigation for the demolition of the bridge to rehabilitate or replace the bridge, if agreed to by the city. In no event will the department's participation exceed \$26,500,000 and no funds may be expended unless the city of Tacoma agrees to take ownership of the bridge in its entirety and provide that the payment of these funds extinguishes any real or implied agreements regarding future expenditures on the bridge.

(3) A maximum of \$211,585,010 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation and \$1,690,000 of the multimodal account--state appropriation are provided for roadway preservation projects.

(4) A maximum of \$55,336,893 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is

provided for bridge repair projects.

(5) A maximum of \$51,562,422 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided for other facilities preservation projects.

(6) A maximum of \$38,968,540 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided for other preservation projects programmed through the transportation commission's priority programming process.

(7) A maximum of \$56,737,803 from the motor vehicle account--state appropriation and motor vehicle account--federal appropriation is provided for direct project support costs, including, but not limited to, direct project support, property management, scenic byways, and other administration.

(8) \$81,147,069 of the motor vehicle account--state appropriation and \$173,103,529 of the motor vehicle account--federal appropriation are provided solely for the Hood Canal bridge project.

(9) The motor vehicle account--state appropriation includes \$2,850,000 in proceeds from the sale of bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

~~((3))~~ (10) The motor vehicle account--state appropriation includes \$77,700,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

~~((4) The entire transportation 2003 account (nickel account) appropriation is provided solely for the projects and activities as indicated in the Legislative 2003 Transportation Project List -- New Law report transmitted to LEAP on April 27, 2003.~~

~~—(5))~~ (11) The department of transportation shall continue to implement the lowest life cycle cost planning approach to pavement management throughout the state to encourage the most effective and efficient use of pavement preservation funds. Emphasis should be placed on increasing the number of roads addressed on time and reducing the number of roads past due.

~~((6))~~ (12) Of the amounts appropriated in this section and section 305 of this act, no more than \$124,000 is provided for increased project costs due to the enactment of Substitute Senate Bill No. 5457.

~~((7))~~ (13) To manage some projects more efficiently, federal funds may be transferred from program Z to program P ~~((to replace those federal))~~ and replaced with state funds in a dollar-for-dollar match.

However, funds may not be transferred between federal programs, except in order to accept federally earmarked funds and maintain eligibility for federal discretionary programs. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department shall not transfer funds as authorized under this subsection without approval of the transportation commission and the director of financial management. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2004.

(14) The department shall, on a quarterly basis beginning July 1, 2004, provide to the legislature reports providing the status on each project in the project lists submitted pursuant to this act to LEAP on March 11, 2004, and on any additional projects for which the department has expended funds during the 2003-05 fiscal biennium. The department shall work with the transportation committees of the legislature to agree on report formatting and elements. Elements shall include, but not be limited to, project scope, schedule, and costs. The department shall also provide the information required under this subsection via the transportation executive information systems (TEIS).

Sec. 304. 2003 c 360 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W DEPARTMENT OF TRANSPORTATION||WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W

Puget Sound Capital Construction Account--

State Appropriation ((~~\$129,066,000~~))
\$108,330,000

Puget Sound Capital Construction Account--

Federal Appropriation ((~~\$34,400,000~~))
\$69,881,000

Puget Sound Capital Construction Account--

Local Appropriation \$249,000

Multimodal Transportation Account--State

Appropriation \$13,381,000

Transportation 2003 Account (nickel account)

Appropriation \$5,749,000

TOTAL APPROPRIATION ((~~\$182,596,000~~))

\$197,590,000

The appropriations in this section are provided for improving the Washington state ferry system, including, but not limited to, vessel construction, major and minor vessel ~~((improvements))~~ preservation, and terminal preservation, construction, and improvements. The appropriations in this section are subject to the following conditions and limitations:

(1) The multimodal transportation account--state appropriation includes \$11,772,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

~~(2) ((\$129,066,000 of the Puget Sound capital construction account--state appropriation and \$34,400,000 of the Puget Sound capital construction account--federal appropriation are provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - Current Law as transmitted to the LEAP on April 27, 2003.~~

~~— (3) \$17,521,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - New Law as transmitted to the LEAP on April 27, 2003.~~

~~— (4)) \$108,330,000 of the Puget Sound capital construction account--state appropriation, \$69,881,000 of the Puget Sound capital construction account--federal appropriation, \$249,000 of the Puget Sound capital construction account--local appropriation, and \$1,609,000 of the multimodal transportation account--state appropriation are provided for ferry construction projects. The department shall report against the Legislative 2003 Transportation Project List - Current Law transmitted to LEAP on March 11, 2004.~~

(a) Within the amounts provided in this subsection, a maximum of \$58,205,000 of the Puget Sound capital construction account--state appropriation, \$21,362,000 of the Puget Sound capital construction account--federal appropriation, \$409,000 of the multimodal transportation account--state appropriation, and \$249,000 of the Puget Sound capital construction account--local appropriation are provided for terminal projects.

(b) Within the amounts provided in this subsection, a maximum of \$44,875,000 of the Puget Sound capital construction account--state appropriation, \$48,432,000 of the Puget Sound capital construction

account--federal appropriation, and \$1,200,000 of the multimodal transportation account--state appropriation are provided for vessel projects.

(c) Within the amounts provided in this subsection, \$5,250,000 of the Puget Sound capital construction account--state appropriation and \$87,000 of the Puget Sound capital construction account--federal appropriation are provided for emergency repair projects. Additionally, unused funds under (a) and (b) of this subsection, may be transferred to emergency repair projects.

(3) \$11,772,000 of the multimodal transportation account--state appropriation and \$5,749,000 of the transportation 2003 (nickel) account--state appropriation are provided solely for the projects and activities as listed by project, biennium, and amount in the Legislative 2003 Transportation Project List - New Law transmitted to LEAP on March 11, 2004. However, limited transfers of allocations between projects may occur for those amounts listed for the 2003-05 biennium subject to conditions and limitations in section 503 of this act.

(4) \$1,000,000 of the Puget Sound capital construction account--state appropriation is provided solely for the department of transportation's Washington state ferry program to conduct a terminal analysis, including technical analysis, to determine the viability of the existing Keystone harbor. The department of transportation staff, including the chief of staff, secretary, or the secretary's designee, and the citizen advisory group formed under this subsection, shall meet at least three times during the duration of the analysis. The first meeting shall occur before the analysis is created.

(a) The technical analysis shall at a minimum include the following issues: (i) The costs and benefits associated with preserving and maintaining the terminal, including enlarging the harbor and dredging; (ii) ridership projections associated with preserving and maintaining the current terminal; (iii) maintaining and retrofitting existing vessels so they can serve the terminal; (iv) coordinating the impact of vehicles using the ferry run with highway capacity; (v) how many, if any, new vessels should be constructed; and (vi) the impact on the environment. The department shall report back to the legislative transportation committee by December 1, 2004. The report must include alternatives to relocating the Keystone Terminal.

(b) By June 1, 2004, the transportation commission shall select a citizen advisory group to be composed of the following: One Washington state ferry pilot, two members of the traveling public that use the

Keystone to Port Townsend route on a regular basis, and one tug pilot.

(5) The Puget Sound capital construction account--state appropriation includes (~~(\$45,000,000)~~) \$29,385,000 in proceeds from the sale of bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead time materials acquisition for the Washington state ferries. The transportation commission may authorize the use of current revenues available to the motor vehicle account in lieu of bond proceeds for any part of the state appropriation.

~~((5))~~ (6) The Washington state ferries shall consult with the United States Coast Guard regarding operational and design standards required to meet Safety of Life at Sea requirements, in an effort to determine the most efficient and cost-effective vessel design that meets these requirements.

(7) The department shall, on a quarterly basis beginning July 1, 2004, provide to the legislature reports providing the status on each project in the project lists submitted pursuant to this act to LEAP on March 11, 2004, and on any additional projects for which the department has expended funds during the 2003-05 fiscal biennium. The department shall work with the transportation committees of the legislature to agree on report formatting and elements. Elements shall include, but not be limited to, project scope, schedule, and costs. The department shall also provide the information required under this subsection via the transportation executive information systems (TEIS).

Sec. 305. 2003 1st sp.s. c 26 s 508 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL
DEPARTMENT OF TRANSPORTATION||RAIL--PROGRAM Y--CAPITAL

Essential Rail Assistance Account--State Appropriation . . . \$770,000

Multimodal Transportation Account--State

Appropriation (~~(\$34,530,000)~~)
\$35,330,000

Multimodal Transportation Account--Federal

Appropriation (~~(\$9,499,000)~~)
\$10,088,000

Multimodal Transportation Account--Local

Appropriation \$9,787,000

Washington Fruit Express Account--State Appropriation . . . \$500,000

TOTAL APPROPRIATION (~~(\$45,299,000)~~)
\$56,475,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The multimodal transportation account--state appropriation includes \$30,000,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) \$4,530,000 of the multimodal transportation account--state appropriation, \$9,499,000 of the multimodal transportation account--federal appropriation, \$500,000 of the Washington fruit express account--state appropriation, and \$770,000 of the essential rail assistance account--state appropriation are provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - Current Law as transmitted to the LEAP on (~~April 27, 2003~~) March 11, 2004.

(3) \$1,230,000 of the multimodal transportation account--state appropriation and \$770,000 of the essential rail assistance account--state appropriation is to be placed in reserve status by the office of financial management to be held until the department identifies the location for a new transload facility at either Wenatchee or Quincy. The funds are to be released upon determination of a location and approval by the office of financial management.

(4) \$30,000,000 of the multimodal transportation account--state appropriation is provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - New Law as transmitted to the LEAP on (~~April 27, 2003~~) March 11, 2004.

(5) If federal block grant funding for freight or passenger rail is received, the department shall consult with the legislative transportation committee prior to spending the funds on additional projects.

(6) If the department issues a call for projects, applications must be received by the department by November 1, 2003, and November 1, 2004.

(7) The department may not execute the Palouse River & Coulee City Rail purchase until the chairs of the transportation committees of the legislature have reviewed, and the office of financial management has approved, a business plan that demonstrates the long term financial viability of state-owned, privately operated short rail service. The office of financial management shall issue to the chairs of the transportation committees of the legislature a report outlining reasons

for the acceptance or rejection of the plan.

Sec. 306. 2003 c 360 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--CAPITAL DEPARTMENT OF TRANSPORTATION||LOCAL PROGRAMS--PROGRAM Z--CAPITAL

Highway Infrastructure Account--State Appropriation	\$207,000
Highway Infrastructure Account--Federal Appropriation	\$1,602,000
Motor Vehicle Account--State Appropriation	(\$28,425,000)
	<u>\$34,496,000</u>
<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$1,000,000</u>
Multimodal Transportation Account--State Appropriation	(\$13,726,000)
	<u>\$16,476,000</u>
TOTAL APPROPRIATION	(\$43,960,000)
	<u>\$53,781,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the multimodal transportation account--state appropriation is provided solely for the projects and activities as indicated in the Legislative 2003 Transportation Project List - New Law Local Projects report transmitted to LEAP on April 27, 2003.

(2) To manage some projects more efficiently, federal funds may be transferred from program Z to programs I and P and state funds shall be transferred from programs I and P to program Z to replace those federal funds in a dollar-for-dollar match. However, funds may not be transferred between federal programs. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department may not transfer funds as authorized under this subsection without approval of the transportation commission. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2004.

(3) \$7,576,000 of the multimodal transportation account--state appropriation is reappropriated and provided solely to fund the first phase of a multiphase cooperative project with the state of Oregon to dredge the Columbia River. If dredge material is disposed of in the ocean, the department shall not expend the appropriation in this

subsection unless agreement on ocean disposal sites has been reached that protects the state's commercial crab fishery. The amount provided in this subsection shall lapse unless the state of Oregon appropriates a dollar-for-dollar match to fund its share of the project.

(4) (~~(\$1,156,000)~~) \$647,000 of the motor vehicle account--state appropriation is reappropriated and provided solely for additional small city pavement preservation program grants, to be administered by the department's highways and local programs division. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded small city pavement preservation program grant funds, but does not report activity on the project within one year of grant award, should be reviewed by the department to determine whether the grant should be terminated. The department must promptly close out grants when projects have been completed, and identify where unused grant funds remain because actual project costs were lower than estimated in the grant award. The department shall expeditiously extend new grant awards to qualified projects when funds become available either because grant awards have been rescinded for lack of sufficient project activity or because completed projects returned excess grant funds upon project closeout.

(5) (~~(\$4,010,000)~~) \$3,156,000 of the motor vehicle account--state appropriation is reappropriated and provided solely for additional traffic and pedestrian safety improvements near schools. The highways and local programs division within the department of transportation shall administer this program. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded traffic and pedestrian safety improvement grant funds, but does not report activity on the project within one year of grant award should be reviewed by the department to determine whether the grant should be terminated. The department must promptly close out grants when projects have been completed, and identify where unused grant funds remain because actual project costs were lower than estimated in the grant award. The department shall expeditiously extend new grant awards to qualified projects when funds become available either because grant awards have been rescinded for lack of sufficient project activity or because completed projects returned excess grant funds upon project closeout.

(6) The motor vehicle account--state appropriation includes (~~(\$20,452,000)~~) \$15,317,000 in unexpended proceeds from the sale of

bonds authorized by RCW 47.10.843.

(7) The multimodal transportation account--state appropriation includes \$6,000,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(8) \$500,000 of the multimodal account--state appropriation is provided solely to complete the engineering and permitting necessary to implement the Skagit county flood control project.

(9) \$1,000,000 of the multimodal transportation account--state appropriation is provided solely to support the safe routes to school program.

(10) \$12,670,000 of the motor vehicle account--state appropriation is provided solely for the local freight projects identified in this subsection. The specific funding listed is provided solely for the respective projects: SR 397 Ainsworth Ave. Grade Crossing, \$4,650,000; Colville Alternate Truck Route, \$2,000,000; S. 228th Street Extension and Grade Separation, \$2,000,000; Duwamish Intelligent Transportation Systems (ITS), \$450,000; Bigelow Gulch Road-Urban Boundary to Argonne Rd., \$500,000; Granite Falls Alternate Route, \$1,800,000; Port of Kennewick/Piert Road, \$520,000; and Pacific Hwy. E./Port of Tacoma Road to Alexander, \$750,000.

(11) \$1,250,000 of the multimodal account--state appropriation is provided solely for the Port of Kalama Grain terminal track improvement project.

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2003 c 360 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE
STATE TREASURER||BOND RETIREMENT AND INTEREST

Highway Bond Retirement Account Appropriation . . . ((~~\$258,971,000~~))
\$250,000,000

Nondebt-Limit Reimbursable Account Appropriation \$4,131,000

Ferry Bond Retirement Account Appropriation \$43,340,000

Transportation Improvement Board Bond Retirement

Account--State Appropriation \$36,721,000

Motor Vehicle Account--State Appropriation ((~~\$3,876,000~~))

	<u>\$5,254,000</u>
Special Category C Account--State Appropriation	((\$331,000))
	<u>\$338,000</u>
Transportation Improvement Account--State	
Appropriation	\$240,000
Multimodal Transportation Account--State Appropriation . .	\$358,000
Transportation 2003 Account (nickel account)	
Appropriation	((\$2,100,000))
	<u>\$2,117,000</u>
TOTAL APPROPRIATION	((\$350,068,000))
	<u>\$342,499,000</u>

Sec. 402. 2003 c 360 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES STATE TREASURER||BOND RETIREMENT AND INTEREST

Motor Vehicle Account--State Appropriation	\$1,293,000
Special Category C Account Appropriation	\$111,000
Transportation Improvement Account--State	
Appropriation	((\$5,000))
	<u>\$21,000</u>
Multimodal Transportation Account--State Appropriation . .	\$119,000
Transportation 2003 Account (nickel account)--State	
Appropriation	\$700,000
TOTAL APPROPRIATION	((\$2,228,000))
	<u>\$2,244,000</u>

Sec. 403. 2003 c 360 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS STATE TREASURER||BOND RETIREMENT AND INTEREST

(1) Motor Vehicle Account--State Reappropriation:
For transfer to the Tacoma Narrows toll bridge
account \$567,000,000

The department of transportation is authorized to sell up to \$567,000,000 in bonds authorized by RCW 47.10.843 for the Tacoma Narrows bridge project. Proceeds from the sale of the bonds shall be deposited into the motor vehicle account. The department of

transportation shall inform the treasurer of the amount to be deposited.

(2) Motor Vehicle Account--State Appropriation:
For transfer to the Puget Sound capital construction
account ((~~\$45,000,000~~))
\$29,385,000

The department of transportation is authorized to sell up to
((~~\$45,000,000~~)) \$29,385,000 in bonds authorized by RCW 47.10.843 for
vessel and terminal acquisition, major and minor improvements, and long
lead-time materials acquisition for the Washington state ferries.

Sec. 404. 2003 c 360 s 404 (uncodified) is amended to read as
follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION STATE
TREASURER||STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account Appropriation for
motor vehicle fuel tax distributions to
cities and counties ((~~\$441,359,000~~))
\$440,228,000

Motor Vehicle Account--State Appropriation:
For license permit and fee distributions to cities
and counties ((~~\$51,652,000~~))
\$13,119,000

Sec. 405. 2003 c 360 s 405 (uncodified) is amended to read as
follows:

FOR THE STATE TREASURER--TRANSFERS STATE TREASURER||TRANSFERS

(1) State Patrol Highway Account--State
Appropriation: For transfer to the Motor
Vehicle Account \$20,000,000

(2) Motor Vehicle Account--State
Appropriation: For motor vehicle fuel tax
refunds and transfers ((~~\$465,152,000~~))
\$770,347,000

(3) Highway Safety Account--State
Appropriation: For transfer to the motor
vehicle account--state \$12,000,000

The state treasurer shall perform the transfers from the state
patrol highway account and the highway safety account to the motor

vehicle account on a quarterly basis.

Sec. 406. 2003 c 360 s 406 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS DEPARTMENT OF TRANSPORTATION||TRANSFERS

(1) Motor Vehicle Account--State Appropriation:
For transfer to Puget Sound Ferry Operations
Account \$21,757,000

(2) RV Account--State Appropriation:
For transfer to the Motor Vehicle Account--State \$1,954,000

(3) Motor Vehicle Account--State Appropriation:
For transfer to Puget Sound Capital Construction
Account ((~~\$64,287,000~~))
\$61,287,000

(4) Puget Sound Ferry Operations Account--State
Appropriation: For transfer to Puget Sound Capital
Construction Account \$22,000,000

(5) Transportation Equipment Fund--State
Appropriation: For transfer to the Motor Vehicle
Account--State \$5,000,000

(6) Advanced Right-of-Way Revolving Account--
State Appropriation: For transfer to the Motor
Vehicle Account--State \$3,000,000

The transfers identified in this section are subject to the following conditions and limitations:

(a) The department of transportation shall only transfer funds in subsections (2) and (3) of this section up to the level provided, on an as-needed basis.

(b) The department of transportation shall transfer funds in subsection (4) of this section up to the amount identified, provided that a minimum balance of \$5,000,000 is retained in the Puget Sound ferry operations account.

(c) The amount identified in subsection (4) of this section may not include any revenues collected as passenger fares.

Sec. 407. 2003 c 360 s 407 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS DEPARTMENT OF RETIREMENT SYSTEMS||TRANSFERS

State Patrol Highway Account: For transfer to the
department of retirement systems expense account:
For the administrative expenses of the (~~judicial~~)
Washington state patrol retirement system ((~~\$223,304~~))
\$290,000

MISCELLANEOUS

Sec. 501. RCW 70.94.996 and 2003 c 364 s 9 are each amended to read as follows:

(1) To the extent that funds are appropriated, the department of transportation shall administer a performance-based grant program for private employers, public agencies, nonprofit organizations, developers, and property managers who provide financial incentives for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, including telework, before July 1, 2013, to their own or other employees.

(2) The amount of the grant will be determined based on the value to the transportation system of the vehicle trips reduced. The commute trip reduction task force shall develop an award rate giving priority to applications achieving the greatest reduction in trips and commute miles per public dollar requested and considering the following criteria: The local cost of providing new highway capacity, congestion levels, and geographic distribution.

(3) No private employer, public agency, nonprofit organization, developer, or property manager is eligible for grants under this section in excess of one hundred thousand dollars in any fiscal year.

(4) The total of grants provided under this section may not exceed seven hundred fifty thousand dollars in any fiscal year. However, this subsection does not apply during the 2003-2005 fiscal biennium.

(5) The department of transportation shall report to the department of revenue by the 15th day of each month the aggregate monetary amount of grants provided under this section in the prior month and the identity of the recipients of those grants.

(6) The source of funds for this grant program is the multimodal transportation account.

(7) This section expires January 1, 2014.

NEW SECTION. **Sec. 502.** A new section is added to 2003 c 360

(uncodified) to read as follows:

The department is given the authority to provide up to \$3,000,000 in toll credits to Kitsap transit for its role in new passenger-only ferry service. The number of toll credits provided to Kitsap transit must be equal to, but no more than, a number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but shall not exceed the amount authorized under this section.

NEW SECTION. **Sec. 503.** A new section is added to 2003 c 360 (uncodified) to read as follows:

(1) The transportation commission may authorize a transfer of spending allocation within the appropriation provided and between projects as listed in the Legislative 2003 Transportation Project List - New Law to manage project spending near biennial cutoffs under the following conditions and limitations:

(a) Transfers from a project may be made if the funds allocated to the project are in excess of the amount needed to complete the project, but transfers may only be made in the biennium in which the savings occur;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project, nor shall a transfer be made to support increases in the scope of a project;

(c) Transfers may be made within the current biennium from projects that are experiencing unavoidable expenditure delays, but the transfers may only occur if the commission finds that any resulting change to the nickel program financial plan provides that all projects on the list may be completed as intended by the legislature; and

(d) Transfers may not occur to projects not identified on the list.

NEW SECTION. **Sec. 504.** A new section is added to 2003 c 360 (uncodified) to read as follows:

INFORMATION SYSTEMS PROJECTS. INFORMATION SYSTEMS PROJECTS Agencies shall comply with the following requirements regarding information systems projects when specifically directed to do so by this act.

(1) Agency planning and decisions concerning information technology shall be made in the context of its information technology portfolio. "Information technology portfolio" means a strategic management approach in which the relationships between agency missions and information technology investments can be seen and understood, such

that: Technology efforts are linked to agency objectives and business plans; the impact of new investments on existing infrastructure and business functions are assessed and understood before implementation; and agency activities are consistent with the development of an integrated, nonduplicative statewide infrastructure.

(2) Agencies shall use their information technology portfolios in making decisions on matters related to the following:

- (a) System refurbishment, acquisitions, and development efforts;
- (b) Setting goals and objectives for using information technology in meeting legislatively-mandated missions and business needs;
- (c) Assessment of overall information processing performance, resources, and capabilities;
- (d) Ensuring appropriate transfer of technological expertise for the operation of any new systems developed using external resources; and
- (e) Progress toward enabling electronic access to public information.

(3) Each project will be planned and designed to take optimal advantage of Internet technologies and protocols. Agencies shall ensure that the project is in compliance with the architecture, infrastructure, principles, policies, and standards of digital government as maintained by the information services board.

(4) The agency shall produce a feasibility study for information technology projects at the direction of the information services board and in accordance with published department of information services policies and guidelines. At a minimum, such studies shall include a statement of: (a) The purpose or impetus for change; (b) the business value to the agency, including an examination and evaluation of benefits, advantages, and cost; (c) a comprehensive risk assessment based on the proposed project's impact on both citizens and state operations, its visibility, and the consequences of doing nothing; (d) the impact on agency and statewide information infrastructure; and (e) the impact of the proposed enhancements to an agency's information technology capabilities on meeting service delivery demands.

(5) The agency shall produce a comprehensive management plan for each project. The plan or plans shall address all factors critical to successful completion of each project. The plan(s) shall include, but is not limited to, the following elements: A description of the problem or opportunity that the information technology project is intended to address; a statement of project objectives and assumptions; a definition and schedule of phases, tasks, and activities to be

accomplished; and the estimated cost of each phase. The planning for the phased approach shall be such that the business case justification for a project needs to demonstrate how the project recovers cost or adds measurable value or positive cost benefit to the agency's business functions within each development cycle.

(6) The agency shall produce quality assurance plans for information technology projects. Consistent with the direction of the information services board and the published policies and guidelines of the department of information services, the quality assurance plan shall address all factors critical to successful completion of the project and successful integration with the agency and state information technology infrastructure. At a minimum, quality assurance plans shall provide time and budget benchmarks against which project progress can be measured, a specification of quality assurance responsibilities, and a statement of reporting requirements. The quality assurance plans shall set out the functionality requirements for each phase of a project.

(7) A copy of each feasibility study, project management plan, and quality assurance plan shall be provided to the department of information services, the office of financial management, and legislative fiscal committees. The plans and studies shall demonstrate a sound business case that justifies the investment of taxpayer funds on any new project, an assessment of the impact of the proposed system on the existing information technology infrastructure, the disciplined use of preventative measures to mitigate risk, and the leveraging of private-sector expertise as needed. Authority to expend any funds for individual information systems projects is conditioned on the approval of the relevant feasibility study, project management plan, and quality assurance plan by the department of information services and the office of financial management.

(8) Quality assurance status reports shall be submitted to the department of information services, the office of financial management, and legislative fiscal committees at intervals specified in the project's quality assurance plan.

NEW SECTION. **Sec. 505.** A new section is added to 2003 c 360 (uncodified) to read as follows:

(1) It is the intent of the legislature that the freight mobility account created in Substitute Senate Bill No. 6680 maintain a zero or positive cash balance at the end of each biennium. Toward this purpose the Washington state department of transportation may make expenditures

from the account before receiving reimbursements. Before the end of the biennium, the department shall transfer sufficient cash to cover any negative cash balances from the motor vehicle fund and the multimodal transportation account to the freight mobility account for unrecovered reimbursements. The department shall calculate the distribution of this transfer based on expenditures. In the ensuing biennium the department shall transfer the reimbursements received in the freight mobility account back to the motor vehicle fund and the multimodal transportation account to the extent of the cash transferred at biennium end. The department shall also distribute any interest charges accruing to the freight mobility account to the motor vehicle fund and the multimodal transportation account. Adjustments for any indirect cost recoveries may also be made at this time.

(2) This section is null and void unless either Engrossed Substitute Senate Bill No. 6701 or Engrossed Substitute Senate Bill No. 6680 is enacted by June 30, 2004.

NEW SECTION. **Sec. 506.** A new section is added to 2003 c 360 (uncodified) to read as follows:

Washington state ferries are more than a symbol of the state's natural beauty and economic vitality. They also are a critical component of our state's transportation system, serving as an extension of our land-based highways and transit systems, connecting Washington's people, jobs, and communities.

The investments made in the 2003 transportation funding package provide the foundation for a marine transportation system that coordinates Washington's cross-Sound marine transportation and our land-based transportation alternatives to create a fully integrated marine/land multimodal transportation system. Achieving this will require the development of a long-range vision and supporting strategy that will provide the policy guidance to define and maximize efficient delivery of quality marine transportation service to the traveling public.

(1) To accomplish this, the Washington state department of transportation shall develop a vision statement and 10-year strategy for the future development of Washington's multimodal water-based transportation system.

(a) This strategy shall recommend the most appropriate means of moving foot passengers across central Puget Sound, using Washington state ferries, alternative operators, or a combination of both, in the immediate future and over the longer term:

(i) Giving priority to those routes where passenger service likely will be provided at least for the near term on passenger-only vessels, such as Vashon-Seattle, Kingston-Seattle, Southworth-Seattle, and Clinton-Seattle. Consideration shall be given to existing public-private partnership opportunities;

(ii) Considering how service patterns will best fit in the near and long term with development goals and opportunities of Colman Dock as a major hub for integrating water transportation with other transportation modes in downtown Seattle;

(iii) Evaluating how operating economies and reasonable fare box recoveries can be established by scheduling A.M. and P.M. services to match commuter demand and to fit within existing collective bargaining agreements as interpreted and applied to facilitate "split shift" transit-like operations; and

(iv) Providing a vessel plan that most efficiently uses existing state ferry assets and provides for their likely repair and rehabilitation needs, while preserving flexibility to structure services around vessel availability that could rely on purchase or lease of additional vessels, as may suitably be required.

The strategy shall also consider the availability of partnering in operations, vessel deployment, or funding arrangements with other public transportation entities and with the private sector. The study shall also recommend the most effective use of federal funding opportunities for the overall support of integrated water transportation services on the central Puget Sound.

(b) Other components of the strategy shall include but not be limited to:

(i) A long-term plan for the ferry system's existing terminals, considering the revenue generation opportunities and potential for partnering with the private sector where appropriate. This should include a plan for generating other revenues as identified in the 2003 5-5-5 plan; and

(ii) A more equitable fare structure for the San Juan Islands, particularly for island residents.

(2) The department shall consult with key public and private sector stakeholders including business, labor, environmental community representatives, local governments, and transit agencies as part of the development of the vision statement and supporting strategy.

The long-range strategy should also recommend a short-range implementation plan for the 2005-07 biennium. The department shall provide its recommendations to the transportation committees of the

legislature by December 15, 2004.

NEW SECTION. **Sec. 507.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 508.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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